

### REMARKS

Claims 1-23 were originally filed in this application. In the outstanding office action, claims 1-5, 7-12, 14-20, and 22-23 were rejected under §102 as anticipated by U. S. Patent No. 4,190,972 ("Berner"), and claims 6, 13, and 21 were rejected under §103 as being obvious over *Berner*. Applicants hereby amend claims 1 and 16, leaving claims 1-23 pending and at issue.

#### Response to the §102 rejections

Claim 1, as well as the claims dependent therefrom, specifies, *inter alia*, a paddle assembly having a shaft and a plurality of paddles disposed therefrom, each paddle having a bottom wall and a distal end ... wherein at least a portion of the bottom wall is tangential to the shaft of the paddle assembly. Applicants respectfully submit that *Berner* fails to disclose each and every element of the amended claim and, therefore, fails to anticipate claim 1.<sup>1</sup>

*Berner* discloses a snow remover that includes a rotor unit R that includes an elongate hollow cylindrical rotor 10, a pair of blade holders 11, and elongate snow removal paddles or blades 12 which are removably fastened to the blade holders 11 by fasteners 13. The pair of blade holders 11 are integrally formed with the rotor 10, and are diametrically opposed spaced apart on the rotor 10. (Column 3, lines 5-11). The rotor is rotatably supported on the spindle 14. (Column 3, lines 29-31). Additionally, as seen in Fig. 3 of *Berner*, the blades 12 extend radially outward from the spindle 14 and the rotor 10 over the entire length of the blades 12 and, as such, are oriented generally perpendicular to the rotation of the blades 12. As a result, no portion of the paddles in *Berner* is tangential to the shaft of the paddle assembly.

Similarly, *Berner* fails to disclose each and every element of claim 9 and, therefore, fails to anticipate that claim and the claims dependent therefrom. More specifically, claim 9 recites a paddle assembly having a shaft and a plurality of paddles disposed therefrom, each paddle having an arcuate bottom wall extending outwardly from the shaft first away from and then toward the direction of rotation of the paddles, a pair of side walls, and a distal end.

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<sup>1</sup> "Anticipation under 35 U.S.C. § 102 requires the disclosure in a single piece of prior art of each and every limitation of a claimed invention." *Rockwell International Corp. v. United States*, 47 USPQ2d 1027 (Fed. Cir. 1998).

As discussed in more detail above, *Berner* discloses a snow remover having blades 12 that extend radially outward from the spindle 14 over the entire length of the blades 12 and, as such, are oriented generally perpendicular to the rotation of the blades 12. *Berner*, however, does not disclose paddles having an arcuate bottom wall, nor does *Berner* disclose paddles having a pair of side walls.

Lastly, *Berner* also fails to disclose each and every element of claim 16 and, therefore, fails to anticipate that claim and the claims dependent therefrom. More specifically, claim 16 recites a motor housing and a drive housing disposed on the body ...wherein at least one of the motor housing and the drive housing includes a filter, thereby preventing particulates from contaminating the motor or the drive mechanism.

*Berner* discloses a snow remover having a motor and a drive assembly for operating in a snow environment. The motor and the drive assembly are both disposed in housing, but none of the housings include a filter as is recited in the claim. Additionally, there is no motivation for placing a filter in the snow remover, as the snow remover would not encounter particulates that could contaminate the motor or the drive mechanism. The applicants, therefore, respectfully submit that the anticipation rejections should be withdrawn.

Response to the §103 rejections

As a result of the above amendments and arguments, the §103 rejections of claims 6, 13, and 21 are moot. The applicants, therefore, respectfully submit that the obviousness rejections should be withdrawn.

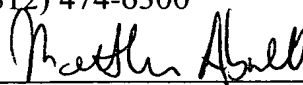
In light of the foregoing, the prompt issuance of a notice of allowance is respectfully solicited. Should the Examiner have any questions, he is respectfully invited to telephone the undersigned.

Respectfully submitted,

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